

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA

v.

LUCAS RUSSELL VANWOERT

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§

JUDGMENT IN A CRIMINAL CASECase Number: **3:22-CR-00618-JRK(1)**USM Number: **24031-510****Charles M. Boss**

Defendant's Attorney

The Defendant pleaded guilty to Counts One (1) through Four (4) of the Indictment on 12/21/2023.

Accordingly, the Defendant is adjudicated guilty of the following offenses:

<u>Title & Section / Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:48(a)(2)(A) Creation of an Animal Crush Video	8/28/2022	1
18:1465 Production and Transportation of Obscene Materials	9/27/2022	2
18:2252(a)(1) Transportation of Visual Depictions of Minors Engaged in Sexually Explicit Conduct	9/27/2022	3
18:2252(a)(4)(B) Possession of Visual Depictions of Minors Engaged in Sexually Explicit Conduct	9/27/2022	4

The Defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the Defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the Defendant must notify the court and United States attorney of material changes in economic circumstances.

May 30, 2024

Date of Imposition of Judgment

s/ James R. Knepp II

Signature of Judge

James R. Knepp II, U.S. District Judge

Name and Title of Judge

May 30, 2024

Date

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

IMPRISONMENT

The Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **NINETY-SEVEN (97) MONTHS**.

This term of imprisonment consists of **EIGHTY-FOUR (84) MONTHS as to Count One (1), SIXTY (60) MONTHS as to Count Two (2), and NINETY-SEVEN (97) MONTHS as to Counts Three (3) and Four (4); with all Counts to be served CONCURRENTLY.**

The Court makes the following recommendations to the Bureau of Prisons:

1. The Defendant be designated to an appropriate facility located as close to Lenoir City, Tennessee, as possible, so he may maintain his familial relationships.
2. The Defendant be evaluated for participation in any mental health programs available.

The Defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to

at _____, with a certified copy of this judgment.

United States Marshal

By
Deputy United States Marshal

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

SUPERVISED RELEASE

Upon release from imprisonment, the Defendant shall be placed on supervised release for a total term of **FIFTEEN (15) YEARS**. This term of supervision consists of THREE (3) YEARS as to Counts One (1) and Two (2), and FIFTEEN (15) YEARS as to Counts Three (3) and Four (4); with all Counts to be served CONCURRENTLY.

While on supervision, the Defendant must comply with the Mandatory and Standard Conditions that have been adopted by this Court, as well as with any other conditions on the attached pages.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance.
 - ☒ You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court. *(applicable if checked)*
 - ☐ Based on the Court's determination that you pose a low risk of future substance abuse, the above drug testing condition is suspended. *(applicable if checked)*
4. ☒ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(applicable if checked)*
5. ☐ You must cooperate in the collection of DNA as directed by the probation officer. *(applicable if checked)*
6. ☒ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(applicable if checked)*
7. ☐ You must participate in an approved program for domestic violence. *(applicable if checked)*

STANDARD CONDITIONS

These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the Court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change. If not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, the defendant may be directed to perform up to 20 hours of community service per week until employed, as approved or directed by the pretrial services and probation officer.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. As directed by the probation officer, you shall notify third parties who may be impacted by the nature of the conduct underlying your current or prior offense(s) of conviction and/or shall permit the probation officer to make such notifications, and/or confirm your compliance with this requirement.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

SPECIAL CONDITIONS OF SUPERVISION

Sex Offender Assessment

You must participate in a sex offense-specific assessment.

Search / Seizure

You shall submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. You shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that you have violated a condition of your supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Sex Offender Registration and Notification Act (Adam Walsh Act)

Pursuant to 18 U.S.C. § 3583 you are required to register under the Sex Offender Registration and Notification Act, and you must comply with the requirements of that Act as directed by the U.S. Pretrial Services & Probation Officer. Pursuant to the Adam Walsh Child Protection Act of 2006, you will keep the registration current in each jurisdiction in which you reside, are employed, or are a student. You must, no later than three business days after each change in name, residence, employment or student status, appear in person in at least one jurisdiction in which you are registered and inform that jurisdiction of all changes in reporting information. Failure to do so may be a violation of your conditions of supervised release and may be a new federal offense punishable by up to ten years.

Sex Offender Treatment

You must participate in a sex offense-specific treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).

Computer/Internet Restriction

You are prohibited from accessing any computer, 'on-line' computer service, Internet Service Provider, bulletin board system or any other public or private computer network or the service at any location (including employment or education) without prior written approval of the U.S. Pretrial Services and Probation Officer or the Court. Any approval shall be subject to any conditions set by the U.S. Pretrial Services and Probation Officer or the Court with respect to that approval.

You shall consent to the U.S. Pretrial Services and Probation Office conducting periodic unannounced examinations of your computer system(s), which may include retrieval and copying of all memory from hardware/software and/or removal of such system(s) for the purpose of conducting a more thorough inspection and will consent to having installed on your computer(s), at your expense, any hardware/software to monitor your computer use or prevent access to particular materials. You shall consent to periodic inspection of any such installed hardware/software to insure it is functioning properly. You shall provide the U.S. Pretrial Services and Probation Office with accurate information about your entire computer system (hardware/software); all passwords used by you; and your Internet Service Provider(s).

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

Computer Monitoring Software

You must allow the probation officer to install computer monitoring software on any computer (as defined in 18 U.S.C. § 1030(e)(1)) you use.

Minor Contact Restriction

You must not seek, obtain or maintain any residence, employment, volunteer work, church or recreational activities involving minors (persons under the age of 18) in any way, without the prior express written approval of the probation officer.

Prohibition from Owning or Possessing Animals

Based upon the facts of the case, you shall not own or possess any animals. This includes service animals.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

CRIMINAL MONETARY PENALTIES

The Defendant must pay the total criminal monetary penalties:

	<u>Assessment</u> <i>\$100 per each Count of conviction</i>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$400.00	\$9,000.00	\$0.00	\$0.00	\$5,000.00

SCHEDULE OF PAYMENTS

The Defendant shall pay to the United States a special assessment of \$400.00 (four hundred dollars) as to Counts One (1) through Four (4) of the Indictment, which shall be due immediately. Said special assessment shall be paid to the Clerk, U.S. District Court, 1716 Spielbusch Avenue, Room 114, Toledo, Ohio 43604.

The Defendant shall pay to the United States a JVTA special assessment of \$5,000.00 (five thousand dollars). Said special assessment shall be paid to the Clerk, U.S. District Court, 1716 Spielbusch Avenue, Room 114, Toledo, Ohio 43604.

The Defendant shall pay restitution in the amount of \$9,000.00 (nine thousand dollars), which shall be due immediately. Restitution shall be paid through the Clerk of the U.S. District Court to the following victims:

- | | |
|--|------------|
| 1. Vicky series, " <i>Lily</i> "
In c/o Attorney Carol L. Hepburn, In Trust for Lily
P.O. Box 17718, Seattle, WA 98127 | \$3,000.00 |
| 2. Tara series, " <i>Sloan</i> "
In c/o Attorney Carol L. Hepburn, In Trust for Lily
P.O. Box 17718, Seattle, WA 98127 | \$3,000.00 |
| 3. PD11 series, " <i>PD11</i> "
In c/o Attorney Allison L. McQueen and Andrew E. Lelling,
Jones Day, 111 North Wacker, Suite 4800, Chicago, IL 60606 | \$3,000.00 |

The Defendant must pay 25% of his gross income per month, through the Federal Bureau of Prisons Inmate Financial Responsibility Program. If a restitution balance remains upon release from imprisonment, payment is to commence no later than 60 days following release from imprisonment to a term of supervised release in monthly payments of at least a minimum of 10% of Defendant's gross monthly income during the term of supervised release and thereafter as prescribed by law.

Notwithstanding establishment of a payment schedule, nothing shall prohibit the United States from executing or levying upon property of the defendant discovered before and after the date of this Judgment.

The Court determines that the Defendant does not have the ability to pay interest, and the Court waives the imposition of any interest requirement in this case.

The Court determines that the Defendant does not have the ability to pay a fine and the Court waives the imposition of a fine in this case.

DEFENDANT: LUCAS RUSSELL VANWOERT
CASE NUMBER: 3:22-CR-00618-JRK(1)

The Defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT A Assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22

FORFEITURE

The Defendant shall forfeit the Defendant's interest in the following property to the United States:

Lenovo Laptop with a (1) terabyte Western Digital hard drive (S/N: WDWXM1AC6FT6XC); Samsung Galaxy phone; generic brown leather backpack; Fuji Fine Pix camera; 32 GB SanDisk SDHC card; dog collar with a tag that says "Wrangler"; Canon EOS Rebel T6 with lens and camera bag; tripod (24 inch); tripod (12 inch); HP Vision Laptop; Toshiba Laptop hard drive; Skill Home built desk top computer; HP Maxtor Model D740x-6L Hard Drive; specula; ratchet straps (2 total); SanDisk 32 GB SDHC card; ratchet straps; Samsung Model SMT867 tablet; T-Mobile cellphone; metal dog choker; Gateway Model W350A laptop; Dell Latitude D620 laptop; Toshiba laptop hard drive; para cord bundle; Samsung Galaxy Note 3 cellphone; Motorola cellphone (no model); Kocaso tablet; condoms; Ozark Trail hunting knife; lubrication; LG cellphone; generic computer tablet model # AQT80; steel handcuffs; pet car seat cover; dog collars/leashes; LG G8 ThinQ cellphone; Cricket Wireless cellphone; T-Mobile cellphone; dog collars/leashes; and all "sex toys."